

Exhibit C

NOTICE OF PENDENCY OF FLSA LAWSUIT

From: Joseph & Herzfeld, LLP, Attorneys at Law

To: All hourly servers who currently work, or who worked, at B.B. King Blues Club and Grill at 237 W. 42nd St., New York, New York, 10036 within three years of the date of this notice.

Re: Collective action lawsuit against B.B. King Blues Club and Grill under the federal Fair Labor Standards Act.

The purpose of this legal Notice is to advise you of a lawsuit that has been filed under the federal Fair Labor Standards Act against B.B. King Blues Club and Grill and Tsion Bensusan and that you may be eligible to join the lawsuit.

This notice advises you on how your rights may be affected by this lawsuit and how you may participate in this lawsuit if you decide that you want to want to participate in it.

1. DESCRIPTION OF THE LAWSUIT

Brandon Salus, Alan Felix Ipanaque Cordova and Brandon Ruckdashel have filed this lawsuit against B.B. King Blues Club and Grill ("B.B. King") and Tsion Bensusan in the United States District Court, Southern District of New York, Index No. 07cv03142-GBD-DCF. The plaintiffs allege that B.B. King violated the federal Fair Labor Standards Act ("FLSA") by: (1) not paying employees for all time worked; (2) requiring employees to pay for "walk-outs" out of their tips or wages; (3) failing to pay employees overtime compensation at the rate of time and one-half for all hours worked in excess of 40 hours in a work week; and (4) retaining portions of employees' tips.

B.B. King and Mr. Bensusan deny the plaintiffs' allegations and deny that they have violated the FLSA or any other applicable laws. If the plaintiffs lose this case, they may be required to pay defendants' costs.

2. WHO MAY JOIN THE LAWSUIT

The named plaintiffs seek to sue on behalf of themselves and also on behalf of other employees with whom they are similarly situated. Specifically, the plaintiffs seek to sue on behalf of all current and former hourly Servers who currently work, or who worked at, B.B. King Blues Club and Grill at 237 W. 42nd St., New York, New York, 10036 within three years of the date of this notice.

3. ACTION TO TAKE IF YOU WANT TO PARTICIPATE IN THIS LAWSUIT

If you fit within the definition of the class members above, you may join this case (that is, you may "opt-in") either by retaining a lawyer of your own choosing as further described below or by completing the attached "Consent to Sue" form and faxing, mailing or sending it via overnight mail to the plaintiffs' counsel at the following address:

D. Maimon Kirschenbaum
Joseph & Herzfeld, LLP
Attorneys at Law
757 Third Avenue, Suite 2500
New York, N.Y. 10017
Phone: (212) 688-5640
Fax: (212) 688-2548
Email: maimon@jhllp.com

The form must be sent to the plaintiffs' counsel in sufficient time to have the plaintiffs' counsel file it with the federal court on or before [insert date that is 60 days from date of notice]. If you fail to return the "Consent to Sue" form to the plaintiffs' counsel in time for it to be filed with the federal court on or before the above deadline, you may not be able to participate as a plaintiff in this lawsuit.

This Notice does not mean that you have a valid claim or that you are entitled to any monetary recovery. Any such determination must still be made by the Court.

4. EFFECT OF JOINING THIS LAWSUIT

If you choose to join this lawsuit, you will be bound by the Judgment of this lawsuit, whether it is favorable or unfavorable.

The attorneys for the plaintiffs are being paid on a contingency fee basis, which means that if there is no recovery there will be no attorney's fee. If there is a recovery, the attorney for the class will receive a part of any settlement obtained or money judgment entered in favor of all members of the class.

If you sign and return the Consent to Sue form attached to this Notice, you are agreeing to enter into an agreement with the plaintiffs' counsel concerning attorney's fees and costs and all other matters pertaining to this lawsuit.

The Court will retain jurisdiction to determine the reasonableness of any contingency attorney's fee agreement entered into by the plaintiffs with counsel, and to determine the adequacy of the plaintiffs' counsel.

You may also join this lawsuit by retaining another lawyer of your own choosing. If you do so, your attorney must file an "opt-in" consent form with the Court on or before [insert date that is 60 days from date of notice]. The address of the Court is United States District Court for the Southern District of New York, Daniel Patrick Moynihan United States Courthouse, 500 Pearl Street, New York, NY 10007-1312.

5. TO STAY OUT OF THE LAWSUIT

If you do not wish to be part of the lawsuit, you do not need to do anything. If you do not join the lawsuit, you will not be part of the lawsuit in any way and will not be bound by or affected

by the result of the lawsuit (whether favorable or unfavorable). Your decision not to join this lawsuit will not affect your right to bring a similar lawsuit on your own at a future time. However, claims under the FLSA must be brought within 2 years of the date the claim accrues, unless the employer's violation of the law was "willful," in which case the claim must be brought within 3 years.

6. **NO RETALIATION PERMITTED**

Please be advised that, if you do file a Consent to Sue and thus make an FLSA claim, it is against the law for B.B. King or Mr. Bensusan to retaliate against you for doing so.

7. **YOUR LEGAL REPRESENTATION IF YOU JOIN**

You may choose to join this lawsuit and be represented by an attorney of your own choosing. However, if you choose to join this lawsuit, and if you also agree to be represented by the plaintiffs' attorneys, your counsel in this action will be:

D. Maimon Kirschenbaum
Joseph & Herzfeld, LLP
Attorneys at Law
757 Third Avenue, Suite 2500
New York, N.Y. 10017
Phone: (212) 688-5640
Fax: (212) 688-2548
Email: maimon@jhllp.com

8. **COUNSEL FOR B.B. KING AND TSION BENSUSAN**

The attorneys for B.B. King and Tsion Bensusan are:

Kenneth Kirschner
Heller Ehrman LLP
Times Square Tower
7 Times Square
New York, New York 10036
Phone: (212) 847-8569
Fax: (212) 763-7600
Email: kenneth.kirschner@hellerehrman.com

9. **ALTHOUGH THE COURT HAS APPROVED THE SENDING OF THIS NOTICE,
THE COURT EXPRESSES NO OPINION ON THE MERITS OF THIS LAWSUIT.**

PLEASE DO NOT CALL OR WRITE THE COURT ABOUT THIS NOTICE.

Dated: July __, 2007